



**DEPARTMENT OF THE ARMY**  
**SAVANNAH DISTRICT, CORPS OF ENGINEERS**  
**PIEDMONT BRANCH**  
**1590 ADAMSON PARKWAY, SUITE 200**  
**MORROW, GEORGIA 30260-1777**

**JUL 01 2009**

Regulatory Division  
200900716

**JOINT PUBLIC NOTICE**  
**Savannah District/State of Georgia**

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: 200900716

Applicant: A-W-S 400, LLC  
Attn: Mr. John Shirey  
3740 Mabry Road  
Roswell, Georgia 30075

Agent : Wildlands Environmental, Inc.  
Attn: Mr. Barney Crooks  
1305 Lakes Parkway, Suite 129  
Lawrenceville, Georgia 30043

Location of Proposed Work: The site is in the southeast corner of the intersection of Georgia Highway 400 (GA 400) and Dawson Forest Road (Highway 318) in Dawson County, Georgia. The site is centered at Latitude 34.351126° North and Longitude 84.044801° West. Please see the enclosed Site Location Map.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: (An Individual Permit application for this project was previously submitted under Project Number 200700613 but the application was later withdrawn.) The applicant proposes to construct a retail development and associated road improvements within the 54 acre site. The development would include a large-box retail store, department stores, a grocery chain store, several small shops, businesses and restaurants.

As part of the development there would be a continuation of a county-mandated parkway/access roadway through the development property and improvements would be made along Dawson Forest Road, which includes a required turn and through lanes. The development would also include surface parking areas, a stormwater treatment system, and landscaped islands and buffers. Total building area for the retail is 237,900 square feet. Total retail land area is 42.34 acres.

The project would impact 1,468 linear feet of perennial stream, 494 linear feet of intermittent stream and 773 linear feet of ephemeral stream. Two tenths of an acre of wetland would be impacted by the project. See enclosed Conceptual Site Plan and Jurisdictional Impacts Map.

### AVOIDANCE, MINIMIZATION, AND MITIGATION

Four alternative sites were reviewed. After investigation and analysis the potential alternative sites were not available for sale and are planned for development, would involve major environmental impacts or do not provide suitable acreage required, given the site limitations.

The compensatory mitigation plan for the impacts to the waters of the US is to purchase wetland and stream credits from an approved commercial mitigation bank.

### BACKGROUND

This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local government approval.

### STATE OF GEORGIA

**Water Quality Certification:** The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required by an applicant for a Federal Permit to conduct an activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of the application in writing and state the reasons or basis of objections or request for a hearing. The application can also be seen in the Savannah District US Army Corps of Engineers, Regulatory Branch, Piedmont Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia.

**State-owned Property and Resources:** The applicant may also require assent from the State of Georgia which may be in the form of a license, easement, lease, permit, or other appropriate instrument.



## US ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Cultural Resources Assessment: Brockington and Associates conducted a Cultural Resources Survey for the 55 Acre Dawson Plaza Tract. The survey will be reviewed and coordinated with the Georgia State Historic Preservation Office.

Threatened and Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request from the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, or any other interested party, information on whether any species listed or proposed for listing may be present in the area.

Public Interest Review: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

Consideration of Public Comments: The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the US Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

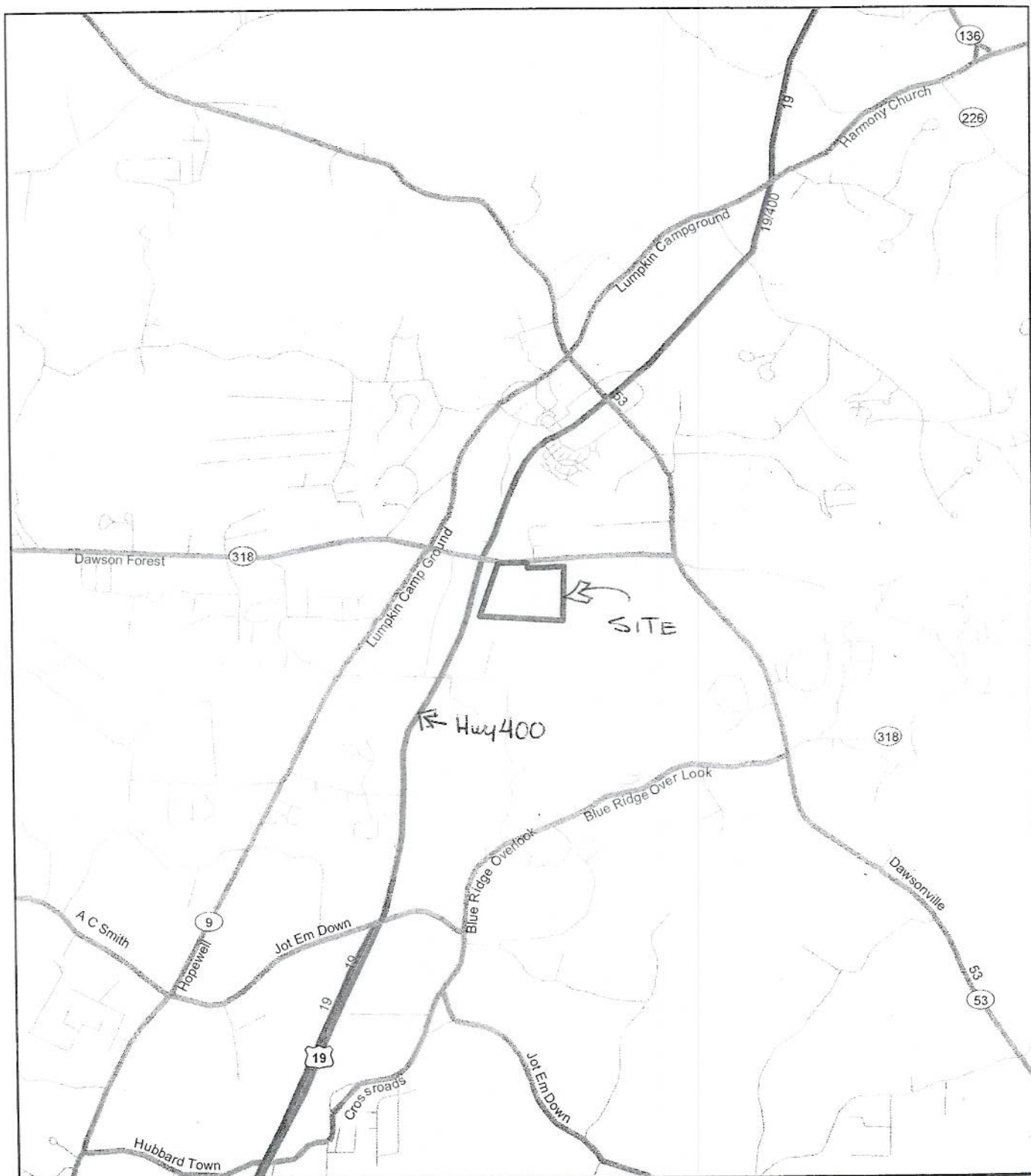
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Savannah District, US Army Corps of Engineers, Piedmont Branch, Attention: Mr. Gary L. Craig, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than 30 days from the date of this notice. Refer to application number 200900716 in your comments.

Contact Mr. Gary L. Craig at (678) 422-2728 if you have questions.

Enclosures:

1. Site Location Map
2. Conceptual Site Plan and Jurisdictional Impacts Map



**53.67-Acre Dawson Forest Road Development  
Dawson County, Georgia**

0 0.375 0.75 1.5  
Miles



Prepared For:  
A-W-S 400, LLC  
3740 Mabry Road  
Roswell, Georgia 30076



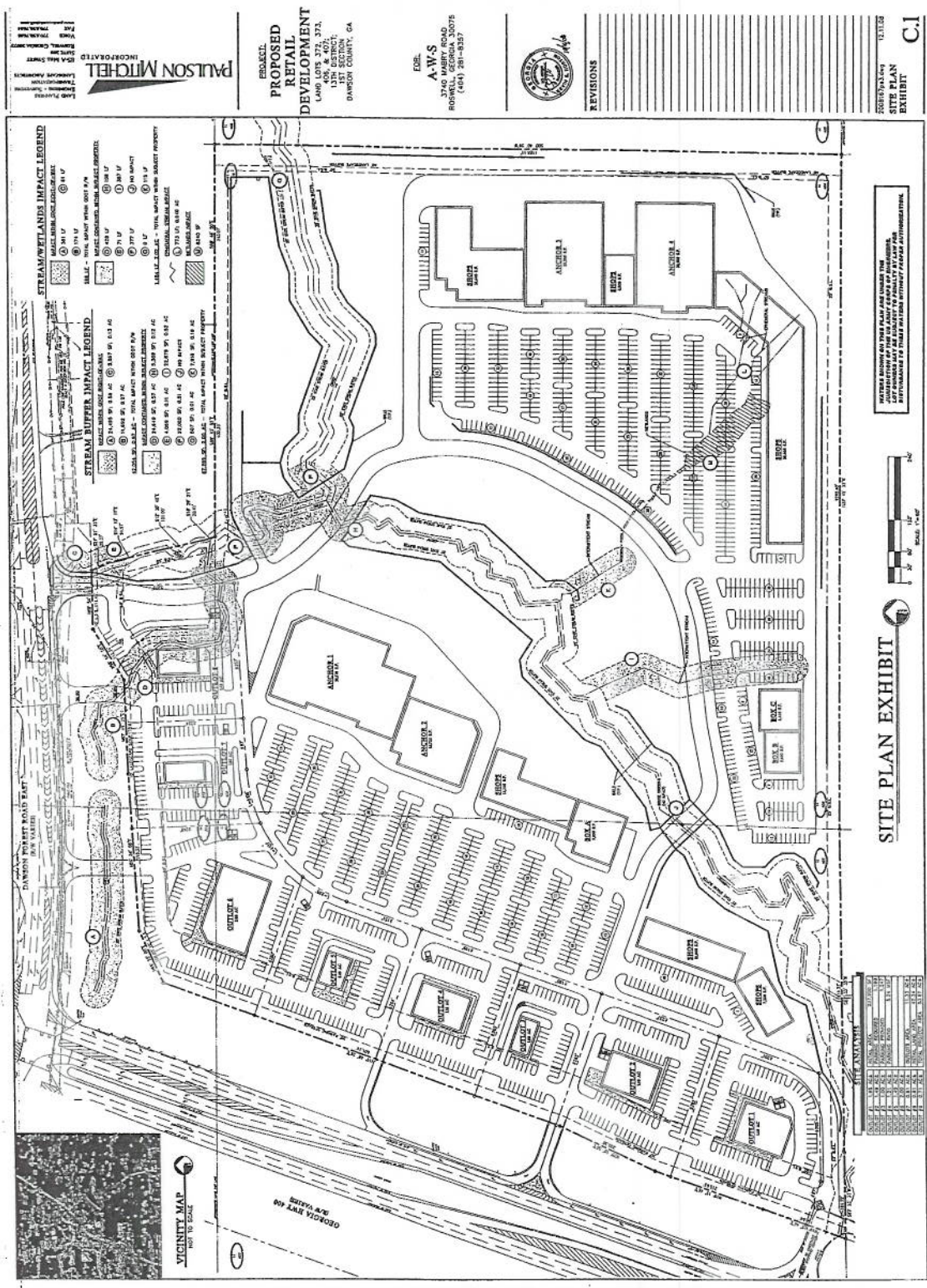
**Figure 1  
Location Map  
December 2008  
Created by: ZM**

1305 Lakes Parkway, Suite 129  
Lawrenceville, Georgia, 30043  
Phone 770.682.9731  
Fax 770.682.6164  
www.wildlandsinc.com

Wildlands  
Project No:  
2008-02

**SITE LOCATION MAP**





53.67-Acre Dawson Forest Road Development  
Dawson County, Georgia

Prepared For:  
A-W-S 400, LLC  
3740 Mabry Road  
Roswell, Georgia 30076

Figure 7  
Jurisdictional Impacts Plan  
December 2008  
Created by: ZM



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CONCEPTUAL SITE PLAN AND  
JURISDICTIONAL (Wetlands & Streams)  
IMPACTS MAP